GOVERNMENT OF ANDHRA PRADESH
A B S T R A C T

Public Services- Dept for Women, Children, Disabled & Sr. Citizens – Sri V.Babu Rao, District Rehabilitation Officer (Retd) – Disciplinary proceedings initiated on the charges of irregularities in securing grant-in-aid to Cripples Paradise, Kankipadu, Krishna District, a NGO from Govt. of India - imposing a penalty of 5% cut in admissible pension for five (5) years – under Rule 9 of APRP Rules, 1980 – Orders – Issued

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DEPT., FOR WOMEN, CHILDREN, DISABLED & SENIOR CITIZENS
(PROG.II)

G.O.RT.No. 143 Dt: 23.07.2015

Read the following:-

01. From the Inspector of Police, CBI., SPE, Visakhapatnam No.DPVIS/2000/01794/RC/19(A)/99/CBI/VSP, Dt:21.03.2000
02. From Dy.Inspr.Genl of Police CBI/ HR/Hyd, No.DPDH2001RCVIS99A00192938, Dt:03.07.2001
03. Memo.No.1998/Prog.II/2000, Dept. for WCD&SC, Dt.23.08.2001.
04. From V.Babu Rao, District Rehabilitation Officer, DRC, Vijayawada, Dt:11.11.2002
05. G.O.Rt..No.182, WD,CW&DW Dept. dt.05.05.2003
06. G.O.Rt.No.380, WD, CW & DW Dept., Dt:05.11.2003
07. G.O.Rt..No.71, WD,CW&DW Dept. dt.02.03.2005
08. Order of Hon'ble APAT in O.A.No.9097 of 2008, Dt:22.04.2009 filed by Sri V.Babu Rao, District Rehabilitation Officer (Retd).
09. G.O.Rt..No.37, WD,CW&DW Dept. dt.12.08.2011
10. From Sri Lingaraj Panigrahi, IAS., Commr. of Inquiries,D.O.Lr.No.208/CIL-LP/2011, dt.28.06.2012.
11. Govt.Memo.No.1998/Prog.II/A1/2000, Dt:20.08.2014
12. From V.Babu Rao, District Rehabilitation Officer (Retd), written reply to show cause notice, Dt:25.08.2014
13. Govt.Letter.No.1998/Prog.II/A1/2000, Dt:14.10.2014
14. From the Secretary (FAC), APPSC, Letter.No.1362/RT/2/2014, Dt:24.04.2015

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ORDER:-

In the reference 1st read above, the Inspector of Police, CBI, SPE, Visakhapatnam, has informed that a case as mentioned in the reference was registered U/s 120-B, 420 & 403 IPC and 13(2) r/w, 13(1) (d) of PC Act, 1988 against V.Gayatri Naga Kumari, Secretary, Cripples Paradise, Kankipadu & Unknown Government Officials and requested for concerned original documents required.

2. In the reference 2nd read above, Dy.Inspr.Genl of Police CBI/ HR/Hyd forwarding a set of report of the Superintendent of Police, CBI, Visakhapatnam, which gives the facts of the above case, the allegation and the result of the investigation. The report shows that Draft Article of charge, Statement of Imputations of misconduct in respect of Sri V.Babu Rao, District Rehabilitation Officer, Department of Disabled Welfare, Vijayawada along with copies of supporting evidence are also enclosed and recommended for initiating Regular Departmental Action for major penalty against the above mentioned accused.

3. Based on the recommendation of Dy.Inspector General of Police, CBI, Hyd, Govt vide the reference 3rd cited, articles of Charges has been framed against Sri V.Babu Rao to submit his written statement of defense:-

(P.T.O)

Sri V.Babu Rao, the then Director in charge, had not offered his comments on the report of Sri G.Narasimhulu while forwarding the report of Sri Z.V.Prasad to the Deputy Director. Sri V.Babu Rao, while deputing Sri Z.V. Prasad, Deputy Director, to Kankipadu for conducting inspection at Cripples Paradise, Kankipadu had not even informed to either Sri G.Narasimhuu, Assistant Director, Disabled Welfare or the Joint Collector, Krishna District. Sri V.Babu Rao, the then Director, Disabled Welfare Department, Hyderabad as a public servant had committed grave misconduct by conniving with Smt. V.Gayathri Naga Kumari to show undue favourism in the matter of giving a favorable report and thereby conducted himself in a manner unbecoming of a Public Servant. Sri V.Babu Rao the then Director, Disabled Welfare, Hyderabad thereby exhibited misconduct which is unbecoming of a public servant and they by violated Rule 3(1) &(2) of the A.P. Civil Services (Conduct) Rules, 1964.

4. In the reference 4th read above, the Charged Officer has submitted his written statement of defense denying the charges and requested the authorities to drop the charges made against him. After examining the statement of defence it has been decided to entrust the case to Commissioner of Inquiries for detailed Inquiry.

5. In the reference 5th read above, in exercise of powers conferred by sub-rule (2) of Rule – 20 of the A.P.C.S (C.C& A) Rules, the disciplinary authority have appointed Sri D. Ramaiah, I.A.S., retired, Member, Commissioner of Inquiries, as the Inquiry Authority to inquire into the charges framed against Sri V.Babu Rao, District Rehabilitation Officer (Retd), Department of Disabled Welfare and other accused Officers.

6. In the reference 6th read above, under Rule 52(1) (a) of A.P.Revised Pension Rules, 1980, Government accorded sanction for payment of provisional pension of Rs.6591/- Per month i.e, 75% of the enhanced pension amount fixed by the Accountant General to Sri V.Babu Rao, Deputy Director (Retired), pending finalization of the disciplinary proceedings instituted against him.

7. In the reference 7th read above, on expiry of the term of Sri D.Ramaiah, I.A.S., (Retired) who was appointed as Inquiry Authority in the G.O. 6th read above, the disciplinary authority has further appointed Dr.Prasanta Mahapatra, I.A.S., Member, Commissioner of Inquiries, as the Inquiry Authority to inquire into the charges framed against the accused officers.

8. In the reference 8th read above, the Hon'ble APAT issued orders that the O.A filed by Sri V.Babu Rao, District Rehabilitation Officer is being disposed of by directing the respondents to conclude the disciplinary proceedings and pass appropriate orders in accordance with rules, within a period six months from the date of receipt of a copy of this order and the claim of the applicant for release of the full pension and pensionery benefits cannot be granted in view of pendency of the disciplinary proceedings in view of Rule 9 of A.P.Revised Pension Rules, 1980.

9. In the reference 9th read above, Subsequently, on expiry of the term of Sri Dr.Prasanta Mahapatra, I.A.S., (Retd), who was appointed as Inquiry Authority in the G.O. 6th read above, the disciplinary authority has appointed Sri Lingaraj Panigrahi, I.A.S., Member, Commissioner of Inquiries, as the Inquiry Authority to inquire into the charges framed against the accused officers.

10. In the reference 10th read above, the Commissioner of Inquiries, has submitted Inquiry Report, concluding that all the charges framed against Sri V.Babu Rao, District Rehabilitation Officer (Retd), are held proved.

11. After Careful examination of the matter, taking into consideration of the gravity of the charges, which are held proved with reference to the Inquiry report, Government

(Contd….3)

have provisionally decided to impose a penalty of 5% cut in admissible pension for five (5) years against Sri V.Babu Rao, District Rehabilitation Officer (Retd), under Rule 9 of AP Revised Pension Rules, 1980.

12. The Government Vide reference 11th read above, have issued a notice to the Charged Officer, to show cause as to why the said punishment shall not be imposed on him within a period of fifteen (15) days, failing which it will be construed that he has no explanation to offer and ex-parte decision will be taken.

13. In the reference 12th read above, the Charged Officer has submitted that for no fault of him, he has already punished by not giving pensionery benefits for a long period of time and prayed for speedy action in releasing payment of his pensioner benefits. As seen from the reply of the individual Officer, he has not put forth any new grounds for considering his case and therefore, it has been decided to confirm the proposed punishment of 5% cut in pension for (5) years against the individual.

14. In response to the Government proposal in the reference 13th read above, the Secretary (FAC), A.P.P.S.C., vide her letter 14th read above, has informed the that the 'Commission' has agreed with the proposal of the Government to impose the punishment of a penalty of 5% cut in pension for five (5) years against the charged officer.

15. The Government after careful examination of the matter, hereby ordered to impose the penalty of withholding of 5% cut in pension for five (5) years against the charged officer i.e., Sri V. Babu Rao, District Rehabilitation Officer (Retd) under Rule – 9 of A.P.Revised Pension Rules, 1980.

16. This order issues with the concurrence of A.P.P.S.C vide their letter 14th read above.

17. The Director, WD &SC, Hyd is requested to take necessary action in the matter accordingly.

(BY ORDER AND IN THE NAME OF THE GOVERNOR OF ANDHRA PRADESH)

Dr.(Smt). POONAM MALAKONDAIAH,
PRINCIPAL SECRETARY TO GOVERNMENT (FAC).

To:
Sri V.Babu Rao, District Rehabilitation Officer (Retd) (through the Director, WD & SC, Hyd)
The Director, WD & SC, A.P., Hyd.
The Accountant General, A.P., Hyderabad.
The Director of Treasuries and Accounts, A.P., Hyderabad.
Copy to:
The Secretary, A.P.P.S.C
S/c

// FORWARDED:: BY ORDER//

SECTION OFFICER